

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|-------------------------|---|-------------------------------|
| _____ |) | |
| BENJAMIN FONKEM, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | Civil Action No. 04-10754-EFH |
| DEAN O'MALLEY AND |) | |
| TIMOTHY AHERN, in their |) | |
| individual capacities, |) | |
| Defendants. |) | |
| _____ |) | |

JOINT MOTION TO CONTINUE APRIL 20, 2005 STATUS CONFERENCE

Counsel for the plaintiff and counsel for the defendants jointly move this Court to continue the status conference from April 20, 2005 to a date after April 28, 2005. As grounds for this motion, the parties state the following:

1. The parties are still engaged in discovery. Despite the best efforts of counsel, due to counsels' schedules, discovery has not been completed as planned.
2. The deposition of the plaintiff is scheduled for April 25, 2005 and the depositions of the defendants are scheduled for April 28, 2005. The defendants will provide answers to plaintiff's written discovery requests by April 15, 2005.
3. Counsel for the parties believe that the status conference with the Court will be more productive after the depositions have been completed. The parties will be in a better position to consider settlement at that time.

WHEREFORE, the parties jointly move this Court to reschedule the status conference from April 20, 2005 to a date after April 28, 2005 to permit the parties to finish conducting depositions.

RESPECTFULLY SUBMITTED,
For the plaintiff:

/s/ Myong J. Joun

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CERTIFICATE OF SERVICE

I certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail / by hand.

Date: April 6, 2005 /s/ Myong J. Joun